



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

Agency: Department of Social and Health Services, Aging and Disability Services Administration

Subject of possible rule making:

The department is considering amending sections of chapter 388-76 WAC Adult Family Home Minimum Licensing Requirements.

See attachment.

Statutes authorizing the agency to adopt rules on this subject:

RCW 70.128.040

Reasons why rules on this subject may be needed and what they might accomplish:

The purpose of amending these rules is to consider making editorial and clarifying changes, and to make them consistent with current laws and standards.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

None

Process for developing new rule (check all that apply):

- ☒ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe)

DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.) Contact:

Maureen Lally, Program Manager

DSHS, Residential Care Services, Aging and Disability Services Administration

PO Box 45600

Olympia, WA 98504-5600

Phone: (360) 725-3204

Fax (360) 438-7903

TTY: (877) 905-0454

E-mail: Lallyma@dshs.wa.gov

Draft section language will be posted on ADSA Professional internet webpage for review and comment prior to filing the CR-102. Anyone from the public can comment directly to the Program Manager listed above via phone, email or fax.

DATE

July 21, 2009

NAME (TYPE OR PRINT)

Stephanie Schiller

SIGNATURE

Stephanie E Schiller

TITLE

DSHS Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 21, 2009

TIME: 12:02 PM

WSR 09-15-156

ATTACHMENT

Rule Making Order CR 101

Chapter 388-76 WAC Adult Family Home Minimum Licensing Requirements

Subject of possible rule making:

The department is considering amending WAC 388-76-10000 Definitions; WAC 388-76-10015 License-Required; WAC 388-76-10020 License-Ability to provide care and services; WAC 388-76-10030 License capacity; WAC 388-76-10050 License-Relinquishment; WAC 388-76-10055 Application-Generally; WAC 388-76-10080 Application-Co-provider; WAC 388-76-10115 Granting or denying a license-Generally; WAC 388-76-10120 License-Must be denied; WAC 388-76-10125 License- May be denied; WAC 388-76-10180 Employment-Certain criminal history-Prohibited; WAC 388-76-10195 Adult family home-Staff-Generally; WAC 388-76-10205 Medicaid or state funded residents; WAC 388-76-10225 Reporting requirement; WAC 388-76-10265 Tuberculosis-Testing-Required; WAC 388-76-10270 Tuberculosis-Testing method-Required; WAC 388-76-10340 Preliminary Service plan; WAC 388-76-10420 Meals and snacks; WAC 388-76-10455 Medication-Administration; WAC 388-76-10490 Medication disposal-Written policy-Required; WAC 388-76-10520 Resident rights-General notice; WAC 388-76-10530 Resident rights-Notice of services; WAC 388-76-10540 Resident rights-Disclosure of fees and notice requirements-Deposits; WAC 388-76-10655 Physical restraints; WAC 388-76-10673 Abuse and neglect reporting-Mandated reporting to department-Required; WAC 388-76-10685 Bedrooms; WAC 388-76-10750 Safety and maintenance; WAC 388-76-10820 Resident evacuation capabilities and location of resident bedrooms; WAC 388-76-10840 Emergency food supply; WAC 388-76-10845 Emergency drinking water supply; WAC 388-76-10870 Resident evacuation capability levels-Identification required; WAC 388-76-10880 Emergency evacuation adult family home floor plan; WAC 388-76-10920 Inspection and investigation reports-Provided by department; WAC 388-76-10955 Remedies-Department must impose remedies; WAC 388-76-10960 Remedies-Department may impose remedies; WAC 388-10990 Informal dispute resolution (IDR); WAC 388-76-10995 Notice, hearing rights, and effective dates relating to imposition of remedies; WAC 388-76-11005 Resident protection program sections through WAC 388-76-11040; and other related rules as appropriate.

The department is considering new sections on notice, liability insurance, management agreements, department authority, and other related rules as appropriate.

The department is considering repealing 388-76-10190 Adult family home-Compliance with regulations-Required.